

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 SIT-UP LIMITED, : Plaintiff, :
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 -v- : :
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 IAC/INTERACTIVECORP. and HSN :
 INTERNATIONAL, : Defendants. :
 :
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USDC SDNY
 DOCUMENT
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DENISE COTE, District Judge:

During a telephonic conference in this case on October 18, 2007, the Court gave the parties guidance on the redactions that would appear to be appropriate for the summary judgment motion papers that are currently being exchanged between the parties. A court reporter created a transcript of the conference. Through a letter dated October 19, plaintiff has provided five additional examples of the kinds of information it contends were covered by the Court's October 18 rulings.

As the Court explained at the beginning of the telephonic conference, the guidance it provided concerning redactions of the summary judgment papers filed in the public record was not intended to presage any ruling as to what information was properly considered a trade secret or was otherwise confidential during the period of the parties' commercial relationship. Nor was the guidance given on October 18 intended as a ruling that

any identified material is so commercially sensitive today that a party is entitled as a matter of law to file it under seal. Should motion practice ensue over the propriety of filing any particular document under seal, the parties would be given an opportunity to brief the issue. Thus, to the extent the October 19 letter seeks to characterize the rulings in the October 18 conference, the transcript of that conference and this Order shall control. As for the exhibits attached to the October 19 letter, it is hereby

ORDERED that the parties may file under seal exhibits A and C, and those portions of exhibit B which reveal the terms of an existing contract, and treat similar documents in that same fashion.

IT IS FURTHER ORDERED that the last two columns in exhibit E, reflecting 2007 and 2008 projections, may be redacted from the public record.

IT IS FURTHER ORDERED that the parties shall immediately undertake a review of the summary judgment papers that have been served, and promptly review those that will be served as soon as they are received, so that they can present to each other their proposals for redaction and sealing within five business days of

the summary judgment motion being fully submitted.

SO ORDERED:

Dated: New York, New York
October 23, 2007

Denise Cote
DENISE COTE
United States District Judge